

**KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS
MINUTES
June 5, 2014**

A regular meeting of the Board of Licensure for Private Investigators was held at the Office of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky, on June 5, 2014, at 1:00 p.m.

MEMBERS PRESENT

Chief Tracy J. Watwood, Chair
Ronald D. Carroll
John L. Logdon, Jr.
Sheriff Pat Melton, Vice Chair
Janice Wyatt-Ross
Ray Lang, Jr.

**OFFICE OF OCCUPATIONS AND
PROFESSIONS**

Carolyn Benedict, Board Administrator
Gordon Slone, Executive Director

OFFICE OF THE ATTORNEY GENERAL
Angela Evans, Board Counsel

MEMBERS ABSENT

None

CALL TO ORDER

Chief Watwood, Board Chair called the meeting to order at 1:04 p.m.

APPROVAL OF MINUTES

The minutes of the May 1, 2014 board meeting were presented for review. A motion to approve the minutes was made by Mr. Logdon. Motion, seconded by Mr. Carroll, carried.

FINANCIAL REPORTS

The financial statement for the months of May were presented to the Board for review. A motion was made by Mr. Carroll to approve the financial reports as presented. Motion, seconded by Mr. Logdon, carried.

O&P Report

Mr. Slone reported to the Board that, when it became obvious the contractor wasn't going to deliver the new database as promised, before the project could proceed a court action to be refunded \$100,000 had to be undertaken. The issue has now been resolved and the project is moving forward again.

CHAIRPERSON REPORT

Chief Watwood had nothing to report.

ATTORNEY REPORT

Ms. Evans presented correspondence from Michael G. Kessler asking for clarification of Kentucky's licensing requirements regarding the practice of Forensic Accounting and Computer Forensics. The question was originally asked in May of 2008. At that time, Diane Fleming, Board Counsel, had replied "The scope of those required to obtain a license and those who are exempted from such requirements is set forth in KRS 329A.070. <http://www.lrc.ky.gov/KRS329A00/070.pdf>." Following discussion and review, Mr. Logdon made a motion that the same response be sent. Mr. Carroll seconded the motion. The motion carried.

Board Counsel, Ms. Evans, also distributed some information with regard to the 2014 IASIR conference which is being hosted by the Board. Several conference topics were discussed.

OLD BUSINESS

Final plans were made for the item writing workshop where new questions for the exam will be written. Those scheduled to attend are: Chief Tracy Watwood, John Logdon, Janice Wyatt-Ross, Sheriff Pat Melton, Robert Berberich, Tommy Swango and Carolyn Benedict. The workshop will be held at Lake Cumberland State Resort Park July 16-19, 2014.

Ms. Benedict submitted a final draft of the revised company application for review.

NEW BUSINESS

The Private Investigation and Polygraph Commission in Nashville, TN sent a **Tennessee Private Investigator Reciprocal Bulletin – October 22, 2013, Special Information for Private Investigator Licensees Reciprocal “Licensee Agreements with Other States** document for the Board to consider. In it, they were asking a reciprocal state, which Kentucky is, to enter into an agreement allowing Private Investigators licensed in Kentucky to enter into Tennessee to conduct private investigations only if the investigation originated in their home state, for up to 15 days per agency per case per year. Following discussion Mr. Logdon made a motion that Ms. Evans contact her Tennessee counterpart to gather additional information and report back to the Board at the July meeting. Mr. Carroll seconded the motion, motion carried.

COMPLAINT COMMITTEE REPORT

Sheriff Melton reported on behalf of the complaint committee the following:

PI2013-07 – ongoing

PI2013-08 – ongoing

PI2013-09 – ongoing

Sheriff Melton recused himself from the meeting at 1:35 p.m. and left the room during the discussion and subsequent vote with regard to the following business item. It has been reported to the Board that Banta Security and Investigations, LLC in Frankfort is operating without a company license and no investigator appears to hold an individual license. A cease and desist letter and voluntary agreement of compliance was sent certified mail. The receipt was returned to the Board verifying it was signed for and received. However, Banta, nor any of its representatives have contacted the Board regarding the matter and the signed agreement has not been returned to the Board. Based upon these facts Mr. Lang made a motion that Ms. Evans, on behalf of the Board, file an injunction in Franklin Circuit Court ordering them to cease and desist. Mr. Logdon seconded the motion, the motion carried. Sheriff Melton returned to the room at 1:44 p.m.

Mr. Logdon made a motion to accept the report of the committee. Mr. Carroll seconded the motion, the motion carried.

APPLICATION REVIEW COMMITTEE REPORT

On behalf of the Application Committee Chief Watwood made the following recommendations:

Applications for Individual License (14)

The following applications for individual license were approved pending (13): Josiah Coats, Robert Egan, Shawn Hensley, Esther Hobbs, Kerry Hurt, Rudy Jiminez, Chris Johnson, Shawn Nevels, Derek Osborne, Kurt Priest, Jonathan Wines, Eric Winkler, Jason Woods

The following applications for individual license were deferred (1): Melanie Fischer

Applications for Company License (1):

The following application for a Company License was approved (1): Critical Solutions

Applications for Temporary Employee (12):

The following Temporary Employee applications were approved (12): *Advantage Surveillance*: Kurt Priest, Christopher Wharram, Jonathan Wines; *Eaton Engineering*: Jon-Paul Ray; *G4S Compliance*: Dereck Osborne; *HUB*: Brian Zubkoff; *Litigation Solutions*: Angela Rushing; *PhotoFax*: Matthew Dillander, Chris Johnson, Joseph Pierce, Eric Winkler; *Unified Investigations*: James Swain; *Veracity Research*: Cheston Gray

A motion was made by Mr. Logdon to approve the recommendations of the application committee. Motion, seconded by Mr. Carroll, carried.

APPROVAL OF TRAVEL

A motion was made by Sheriff Melton to approve travel and per diem for all eligible members attending today's meeting. The motion, seconded by Mr. Carroll, carried.

NEXT MEETING

The next meeting is scheduled for July 10, 2014, at the Office of Occupations and Professions, at 1:00 p.m. Complaint Committee and Application Committee will meet at 12:00 noon.

ADJOURN

Sheriff Melton made a motion to adjourn at 1:58 p.m., having no further items of discussion. The motion, seconded by Mr. Carroll, carried.